



06-CR-00214-ORD

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JUN 27 2006  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

SAMUEL L. DUGAN,

Defendant.

NO. CR06-0214JCC

ORDER CONCERNING SPEEDY  
TRIAL RIGHTS UNDER THE  
INTERSTATE AGREEMENT ON  
DETAINERS

The Court having conducted a hearing in this matter at which government counsel Andrew C. Friedman, defendant Samuel L. Dugan, and defendant's counsel Brian A. Tsuchida all were present; and

IT APPEARING that Dugan originally was charged on October 7, 2005, by complaint, with possession with intent to distribute cocaine base, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B);

IT APPEARING that, at the time that Dugan was charged, Dugan was in the custody of the State of Washington, and that the government therefore filed a detainer against Dugan;

IT APPEARING that Dugan demanded a speedy trial under the Interstate Agreement on Detainers (IAD), and that Dugan's demand was delivered to the United States Attorney's Office on or after January 17, 2006;

IT APPEARING that Dugan therefore would be entitled to be brought to trial within 180 days of January 17, 2006, pursuant to Article III of the IAD;

IT APPEARING that Dugan was transferred from State to federal custody on May

1 8, 2006;

2 IT APPEARING that Dugan therefore also might be entitled to be brought to trial  
3 within 120 days of May 8, 2006, pursuant to Article IV of the IAD;

4 IT APPEARING that defense counsel has represented, on the record in open court,  
5 that he requires additional time beyond these dates to obtain additional fingerprint, DNA,  
6 and purity tests concerning the packaging and drugs involved in this case in order  
7 effectively to represent his client;

8 IT APPEARING that Dugan has withdrawn, on the record in open court, his  
9 request for a speedy trial under the IAD; and

10 IT APPEARING that Dugan consents to having a magistrate judge conduct the  
11 hearing concerning his rights under the IAD and make the determination that there is  
12 good cause to continue his trial; now, therefore,

13 THE COURT FINDS that defense counsel will require additional time beyond  
14 the time contemplated under the IAD in order adequately to investigate this case and  
15 effectively to represent Dugan;

16 THE COURT FURTHER FINDS that there is good cause under the IAD to  
17 continue the trial in this case until the currently-contemplated trial date of August 21,  
18 2006, in order to allow defense counsel to conduct this investigation; therefore,

19 IT IS HEREBY ORDERED that the trial in this case be continued until August  
20 21, 2006; and

1 IT IS FURTHER ORDERED that all time between the date of this order and  
2 August 21, 2006, is excluded from the time within which a trial must be held under the  
3 IAD.

4 DONE this 27th day of June, 2006.

5   
6  
7 MONICA J. BENTON  
8 United States Magistrate Judge

9 Presented by:

10 JOHN McKAY  
11 United States Attorney

12  
13 /s/ Andrew C. Friedman  
14 ANDREW C. FRIEDMAN  
15 Assistant United States Attorney

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22 /s/ Brian A. Tsuchida  
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